

**TOWN BOARD  
REGULAR MEETING**

**MONDAY**

**July 11, 2022**

**CASUAL ATTIRE**

Meeting available for viewing via Zoom  
<https://madisoncounty-ny.zoom.us/j/89483819035>

Meeting ID: 894 8381 9035

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***\*Please note - this meeting is being recorded\****

**Supervisor Zupan opened the meeting at 7:30 p.m. with all Councilors present. Councilor Johnson attended remotely via the video-conferencing platform, Zoom.**

**Pledge of Allegiance.**

**Correspondence:** *There was no unshared correspondence.*

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**Motion by Councilor Race, seconded by Supervisor Zupan to accept the minutes from the May 17, 2022 special meeting.**

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Abstain</b>
<b>Councilor Reger</b>	<b>Abstain</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

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*Councilor Johnson stated the CACDA Founder's Event is the 22<sup>nd</sup> of July, not the 27<sup>th</sup> as the minutes state.*

**Motion by Councilor Reger, seconded by Councilor Golub to accept the minutes from the June 13, 2022 regular meeting as amended.**

**Roll call:**

<b>Councilor Race</b>	<b>Abstain</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

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**Supervisor Zupan** asked if anyone cared to speak to the Town Board regarding any subject on this meeting's agenda.

**Public comment #1:** *There were no comments.*

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**Motion by Councilor Race, seconded by Councilor Reger to open the public hearing relative to Local Law C – 2022, entitled *a Local Law to Amend Chapter 9 (“Conservation Commission”) of the Town Code of the Town of Cazenovia.***

**Public comment:** *There were no comments.*

**Motion by Councilor Race, seconded by Councilor Reger to continue the public hearing.**

*John Langey, Esq. stated there is a current version of the local law that was introduced last month and subsequently the Town Board received a suggestion to amend the language. The proposed local law will be re-introduced with the slight amendment. The public hearing will be continued until next month.*

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*John Langey, Esq. stated the language originally allowed members of the CACC from a town adjacent to the Town of Cazenovia. The suggested change allows one to be a member of the CACC if they own real property in the Town of Cazenovia.*

**Resolution No. 85 presented by Councilor Golub, seconded by Councilor Reger**

**TOWN OF CAZENOVIA LOCAL LAW NO. C OF 2022**  
(“A Local Law to Amend Chapter 9 (“Conservation Commission”)  
of the Town Code of the Town Of Cazenovia”)

**WHEREAS**, on June 13, 2022, the Town Board of the Town of Cazenovia introduced proposed Local Law No. C-2022, titled “A Local Law to Amend Chapter 9 (“Conservation Commission”) of the Town Code of the Town of Cazenovia.” Said Local Law, if enacted will amend Subsection “A” of §9-3 (“Membership; qualifications; terms of office”) of Chapter 9 (“Conservation Commission”) to allow for members of the Commission to reside in either the Town of Cazenovia or a Town which physically borders the Town of Cazenovia; and

**WHEREAS**, proposed Local Law No. C-2022 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

**WHEREAS**, on June 13, 2022, the Town Board pursuant to Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law (SEQRA) declared that adoption of Local Law No. C-2022 was an Unlisted Action, that the Town Board would act as lead agency for purposes of SEQRA and made a determination that the aforementioned law would not result in any adverse environmental impacts and therefore issued a Negative Declaration; and

**WHEREAS**, a public hearing on the aforementioned Local Law was noticed for July 11, 2022 and publication of the Notice of Public hearing as accomplished as per law; and

**WHEREAS**, a public hearing was conducted on July 11, 2022 and upon completion was continued; and

**WHEREAS**, as a result of the introduction of the proposed Local Law, the public hearing held on July 11, 2022 and written comments received on proposed Local Law No. C-2022, the Town Board determined to revise and amend proposed Local Law No. C-2022, which revisions provide better clarification as to qualification for membership eligibility to allow for members of the Commission to reside in either the Town of Cazenovia or own property in the Town of Cazenovia; and

**WHEREAS**, the Town Board believes that such revised and amended Local Law No. C-2022 should be considered for further public comment; and

**WHEREAS**, the full text of said Local Law No. C-2022, as revised and amended, is on file at the Clerk’s Office at the Town of Cazenovia Town Offices located at 7 Albany Street, Cazenovia, New York and may be viewed by all interested persons during normal business hours, between 9:00 a.m. and 4:00 p.m., Monday-Thursday and Friday between 8:00 a.m. and 3:00 p.m.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED** that the Town Board of the Town of Cazenovia reaffirms its Negative Declaration made on June 13, 2022 for purposes of SEQRA with respect to the enactment of proposed Local Law No. C-2022, as now amended; and be it further

**RESOLVED AND DETERMINED** that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2022, as now revised and amended, at the Town Hall located at 7 Albany Street, Cazenovia, New York on August 8, 2022 at 7:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 85 adopted.**

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**Resolution No. 86 presented by Councilor Race, seconded by Councilor Reger**

**AUTHORIZE THE HIGHWAY SUPERINTENDENT  
TO ORDER A WESTERN STAR HEAVY DUTY  
TRUCK WITH SNOWPLOW EQUIPMENT**

**WHEREAS**, the Town of Cazenovia Highway Department has previously advised of its need to replace aging trucks in its fleet; and

**WHEREAS**, the periodic replacement of equipment is an appropriate municipal purpose for the expenditure of public funds; and

**NOW, THEREFORE BE IT RESOLVED**, by the Town Board that the Town of Cazenovia Highway Superintendent is authorized to order a Western Star Heavy Duty Truck with snowplow equipment.

**Roll call:**  
**Councilor Race**                    **Yes**  
**Councilor Golub**                   **Yes**  
**Councilor Reger**                   **Yes**  
**Councilor Johnson**               **Yes**  
**Supervisor Zupan**                 **Yes**

**Supervisor Zupan declared Resolution No. 86 adopted.**

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*Supervisor Zupan said this resolution corrects the one adopted last month. The resolution did not factor in a solar light for each of the flag poles.*

**Resolution No. 87 presented by Councilor Reger, seconded by Councilor Golub**

**CORRECTIVE RESOLUTION**

**PROCUREMENT OF TELESCOPING FLAG POLES FOR SOUTH CEMETERY AND NEW WOODSTOCK HERITAGE PARK**

To correct the June 13, 2022 Town Board Resolution (Resolution No. 83) relative to the procurement of telescoping flag poles with solar lighting.

The Town of Cazenovia Town Board Resolution adopted on June 13, 2022 (Resolution No. 83) shall hereby be amended to read in its entirety as follows

**PROCUREMENT OF TELESCOPING FLAG POLES FOR SOUTH CEMETERY AND NEW WOODSTOCK HERITAGE PARK**

To approve the procurement of two (2) 25’ heavy-duty telescoping flag poles for South Cemetery and New Woodstock Heritage Park from Liberty Flagpoles of Hampden, MA. Each flagpole will have a satin aluminum finish and solar disk flag light. Said purchase shall not exceed One Thousand Two Hundred Ninety-eight and 00/100 Dollars (\$ 1,298.00).

**Roll call:**  
**Councilor Race**                    **Yes**  
**Councilor Golub**                   **Yes**  
**Councilor Reger**                   **Yes**  
**Councilor Johnson**               **Yes**  
**Supervisor Zupan**                 **Yes**

**Supervisor Zupan declared Resolution No. 87 adopted.**

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**Resolution No. 88 presented by Councilor Race, seconded by Councilor Johnson**

**AUTHORIZE THE SUPERVISOR TO EXECUTE THE BUSINESS EDITION MASTERCARD CREDIT CARD APPLICATION**

To authorize the Town Supervisor to execute the Business Edition Mastercard Credit Card Application for incidental Town purchases with a credit limit of Five Thousand and 00/100 Dollars (\$ 5,000.00). Said credit cards will be issued to the Town Clerk and Highway Superintendent.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 88 adopted.**

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*Supervisor Zupan said the School District is going out to all the local municipalities because they are looking for grants in hopes of doing something with the bus garage to update that facility.*

**No. 89 presented by Councilor Race, seconded by Councilor Reger**

**AUTHORIZE PARTICIPATION IN THE GRANT APPLICATION WITH THE CAZENOVIA CENTRAL SCHOOL DISTRICT**

To authorize participation with the Cazenovia Central School District in the grant application, “The Local Government Efficiency (LGE) Grant Program.”

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 89 adopted.**

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**Resolution No. 90 presented by Councilor Reger, seconded by Councilor Race**

**AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE  
LETTER OF SUPPORT FOR THE VILLAGE OF CAZENOVIA  
CONSOLIDATED FUNDING APPLICATION**

The Town Board of the Town of Cazenovia authorized the Town Supervisor to execute the following Letter of Support to the NYS Canal Corporation and NYS Office of Parks, Recreation and Historic Preservation for the application submitted by the Village of Cazenovia for improvements to Lakeland Park.

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July 11, 2022

NYS Canal Corporation  
30 South Pearl Street  
Albany, NY 12207

NYS Office of Parks, Recreation and Historic Preservation  
Clark Reservation  
Jamesville, NY 13078-9516

Re: Village of Cazenovia Consolidated Funding Application

I would like to express my support for the Consolidated Funding Application submitted by the Village of Cazenovia. The funding would be used to implement improvements to Lakeland Park including rehabilitation of the iconic historic stone masonry pier including several areas where the stone wall is failing; improve parking and vehicular patterns including traffic calming measures to reduce vehicular-pedestrian conflicts; create a waterfront plaza between the beach area and parking lot to create a buffer and a safer environment for beach goers; and expansion of the beach area to increase capacity.

Lakeland Park is a municipal park that is widely used as a place for recreation, community gatherings, and events. The Village of Cazenovia has worked hard to expand and enhance the use of Lakeland Park for enjoyment by the public. This has included the stabilization of an historic building within the park, the creation of a master plan for the park and rehabilitation of the stone masonry canal and lake walls. Lakeland Park is an important hub for recreational activity during the summer months which results in significant economic activity for the historic business district. The Village would like to enhance this activity by providing essential repairs and improvements to the historic infrastructure.

I ask that you give this application serious consideration for funding. It would be an excellent investment to help assure that this park and a variety of recreational activities will be experienced in a safe and positive way by residents and visitors for many years to come.

Sincerely,

William N. Zupan,  
Town Supervisor

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<b>Roll call:</b>	
<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 90 adopted.**

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*Supervisor Zupan explained Dale Bowers will handle the Town Codes and William Carr will handle building inspections.*

**Resolution No. 91 presented by Councilor Race, seconded by Councilor Reger**

**AUTHORIZING THE APPOINTMENT OF DALE BOWERS**

**WHEREAS**, the Town of Cazenovia has previously determined it would be in the best interest of the Town to create and staff the position of “Assistant Code Enforcement Officer, Part-Time” to assist with the administration of the Zoning/Codes Enforcement Office; and

**WHEREAS**, the duties of the position “Assistant Code Enforcement Officer, Part-Time” would entail assisting home owners and contractors to review projects as they relate to the Town Code, explain zoning laws and local building ordinances to applicants, assist applicants in completing building permit applications and other applications for approval of the local governing body, refer applicants who need variances to the Zoning Board of Appeals and applicants who need site plan approval or are subdividing land to the Planning Board, attend planning and zoning board meetings to comment on proposed projects, etc., review zoning and subdivision laws to ensure compliance and investigate complaints of alleged zoning law violations, all under the direct supervision of the Town Supervisor; and

**WHEREAS**, the Town of Cazenovia may employ an individual to perform such duties and services at a rate set by the Town Board and subject to Town Board approval; and

**WHEREAS**, the Town of Cazenovia now desires to employ Dale Bowers as a part-time employee to perform the aforesaid duties of “Assistant Code Enforcement Officer, Part-Time”, as more particularly discussed herein.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Cazenovia Town Board hereby appoint Dale Bowers as an Assistant Code Enforcement Officer, Part-Time pursuant to the following terms:

1. Dale Bowers shall perform the following duties under the direct supervision of the Town Supervisor, to wit:

- Assist home owners and contractors to review projects as they relate to the Town Code, explain zoning laws and local building ordinances to applicants, assist applicants in completing building permit applications and other applications for approval of the local governing body, refer applicants who need variances to the Zoning Board of Appeals and applicants who need site plan approval or are subdividing land to the Planning Board, attend planning and zoning board meetings to comment on proposed projects, etc., review zoning and subdivision laws to ensure compliance and investigate complaints of alleged zoning law violations
2. The part-time position hereby appointed shall be at an hourly rate of Twenty-five and 00/100 Dollars (\$25.00) per hour, the services performed by Dale Bowers shall not exceed a maximum of twenty (20) hours per week (with the exception of certain time periods to be established by the Town Supervisor), such position shall be temporary under New York State Civil Service Law and this appointment shall be effective July 11, 2022; and be it further

**RESOLVED** that the position so appointed and the work to be performed by Dale Bowers shall not, in any way, alter his status as a part-time employee of the Town of Cazenovia.

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 91 adopted.**

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**Resolution No. 92 presented by Councilor Reger, seconded by Councilor Race to make the following Board appointments:**

<b><u>Board</u></b>	<b><u>Term Length</u></b>	<b><u>Term Expiration</u></b>
Jon Vanderhoef, PB Alternate Member	Remainder of 2022	12/31/2022

**Roll call:**

<b>Councilor Race</b>	<b>Yes</b>
<b>Councilor Golub</b>	<b>Yes</b>
<b>Councilor Reger</b>	<b>Yes</b>
<b>Councilor Johnson</b>	<b>Yes</b>
<b>Supervisor Zupan</b>	<b>Yes</b>

**Supervisor Zupan declared Resolution No. 92 adopted.**

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**Attorney's Report:** *John Langey, Esq. reported he continues to work on regulations for battery storage. Additionally, they are assisting all of their clients, including the Town of Cazenovia with a code update that is required by New York State Law – more information to follow.*

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**Supervisor's Report:** *Supervisor Zupan reported the Town is starting to work on the waste water treatment plant upgrades. They had a meeting with the engineers and are looking at upgrades in the ballpark of 16-20 million dollars and will need to look for grants and funding opportunities. He mentioned the drain lines were TV'd at the Jephson Estate. They appear to be in fairly good shape, but there were some areas where they had to "chew" through roots. There are certain sections that will probably have to be replaced, but the engineer thinks the drainage easements can be used. The engineer will review the videos and then there will be another meeting with the residents of Ridge Road. On another note, this past week, he has been scrambling because of the position that Roger Cook is in. He has tried to help out as much as possible. Bill Carr has been great, Dale Bowers has offered to step in for code interpretation and Sue Wightman, Zoning Clerk has been fantastic. He mentioned he will be interviewing a person on Thursday and hopefully it will work out to bring back an appointment to the Town Board.*

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**Councilor Race** (Highway Department, South Cemetery, Water Pollution Control Facility & Water Districts): *Reported everything is good at the highway department. The paving is scheduled and it is a typical summer, at this point.*

*Bryan Smith responded to an inquiry and said they have harvested eight days so far this year.*

*Supervisor Zupan said he was approached by a DeRuyter Lake resident and they wondered if it was possible to get the harvester down there for a week. He told the resident he would check with the Town Board and Highway Superintendent to see if it was doable.*

*The Town Board discussed this proposition. It was determined it would probably take four days to harvest the lake including transport time.*

*Bryan Smith, Highway Superintendent, stated they average about 2-3 days every other week on Cazenovia Lake. He felt it was doable to assist DeRuyter Lake and is very familiar with that Lake.*

*Councilor Race said everyone needs to know and understand upfront-water lines and pumps are not the Town's responsibility.*

*Bryan Smith said he explained this to the resident.*

*Councilor Race said they need to understand they are just mowing the lake; they do not go in and out of docks.*

*Bryan Smith said he told him they do to the end of the dock and if there is a submersible, mark them.*

*The Town Board agreed the Town of Cazenovia highway employees would operate the equipment.*

*Councilor Race and Supervisor Zupan said this would not be a free service.*

*Councilor Johnson inquired about invasive species and if that should be a concern. Bryan Smith said the harvester has its own “washdown unit“ and it will be thoroughly cleaned before it goes to DeRuyter Lake and before it comes back to Cazenovia Lake.*

*John Langey, Esq. said there would be an indemnification clause within the Inter-municipal Agreement to ensure the Town is an additional insured.*

*The consensus of the Town Board was to help out DeRuyter Lake.*

**Councilor Golub** {Cazenovia Lake Association, Cazenovia Lake Watershed Council, Solar & Future of the Town Office (Gothic Cottage), Anti-Racism Coalition: *Reported Bob Ridler, Planning Board Chair, will be attending the Lake Association meetings because there are often questions that come up that he might be able to answer. The CPF and CLA are doing a clean-up between the two dams. Since the Mill Street dam has been opened up, the water level is lower so more debris is visible. These organizations are looking for volunteers to assist with the clean-up and a village truck will be available to remove the debris from the site. The tentative day for clean-up is July 28, 2022 in the afternoon. He said there will be another community outreach in August. He said the solar at the highway garage is still a possibility. This coming Friday Councilor Reger and he will have a meeting with Abundant Solar. They have hit some speed bumps, but they are committed and will continue to try.*

**Councilor Reger** (Planning & Zoning, CACC, Comprehensive Plan, Shared Services & New York State Police): *Reported the Joint Youth Recreation Program started today and Kristin Brink continues to run the program. He said the first week of enrollment is full, but there are other opportunities for sign-ups in the remaining five weeks. On another note, he is working on a land grant with CPF and the Milin Farm. Lastly, he reported the Zoning Board was a little quieter, but the Planning Board continues to be busy. Caz Cares continues to assist the community and they are seeing more of a need with the rising costs of food and gasoline.*

**Councilor Johnson** {CACDA, Senior Recreation & Joint Youth Recreation, Parks, New Woodstock Fire Department, Solar & Future of the Town Office (Gothic Cottage)}: *Reported the Youth Recreation Program had a positive first day and there are some openings for the upcoming weeks. She said Kristin Brink is already looking ahead to next year to maybe do a four-week program because the fifth week has low numbers. She would make up for the shorter time frame by allowing more children in the other weeks. CACDA is assisting with the feasibility study for the school district and other municipalities for the infrastructure for electric vehicles. There is also a Water Infrastructure Grant that is due September 9<sup>th</sup>. Lauren Lines, Executive Director, of CACDA will look into the water infrastructure grant once she finishes the efficiency grant for the school district and surrounding municipalities.*

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Supervisor Zupan asked if any member of the public cared to use the second comment period to speak to the board regarding any area of Town Board oversight.

**Public comment #2:**

**Will Shamblen** of 4187 Syracuse Road inquired about the proposed local law and was curious who would be eligible for the committee.

Supervisor Zupan said the Cazenovia Conservation Commission is a volunteer group that gives input to the Planning Board and Zoning Board of Appeals. It is comprised of individuals that are

very environmentally sensitive. The Town is having problems filling the positions with Town of Cazenovia so it has been opened up to anyone that owns land in the Town of Cazenovia.

Will Shambelm inquired if a person would be eligible that did not own land, but resided in the Town of Cazenovia.

Supervisor Zupan confirmed.

Anne Ferguson of 4573 Syracuse Road followed up on some questions about the Gothic Cottage. She said at the April 26<sup>th</sup> special work session of the Town Board a representative of HKK proposed coming up with a new set of requirements to reflect the current needs, along with a new estimate and some elevations. She wondered if that information was received from HKK.

Supervisor Zupan stated an estimate was received for roughly one hundred sixty-seven thousand dollars. He felt they needed to hold off until a decision was made about the future town hall. He said they are currently on hold. Dennis Gregg’s group has sent plans and the Town Board is reviewing them. Also, he informed A. Ferguson “your group” will be invited in to present their plan and then the board will make a decision.

Anne Ferguson inquired about the off-site proposal. She stated when Teitsch Kent Fay attended the regular work session they were going to come in and document a set of requirements and conduct interviews on the 23<sup>rd</sup> of May. She wondered if those interviews happened and if there was a requirements document. She said if the requirements changed-she would like to know.

Supervisor Zupan informed Ms. Ferguson that Teitsch Kent Fay worked off of the HKK information and he thought it was approx. 8,000 sq. ft.

Anne Ferguson wondered if an Adjacency Study was completed.

Supervisor Zupan said the offices will be on one side and the meeting room on the other side. He said he does not want to request to a plan that is too finalized until they know what they are going to do. He is looking for a ballpark number for new construction versus doing work at the Gothic Cottage. He expressed to Ms. Ferguson he is keeping an open mind on what is best for the Town of Cazenovia.

Councilor Golub took issue with the plan Anne Ferguson proposed being called the “Compromise Plan.” He did not see the compromise and felt it should be renamed.

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**The Town Clerk presented the monthly bills list.**

The Town Board's method-of-choice for review of the monthly bills:

The Town Board's first review takes place when detailed lists of the monthly bills are emailed to them on the weekend preceding the meeting. As a second review, the Town Clerk reads aloud the monthly bills list as the Town Board followed along with hard copies. The invoices are present at the meeting and the Town Board visually inspects them and discusses them at their discretion.

**Motion by Councilor Race, seconded by Councilor Johnson to approve payment of the bills. Councilor Race recused himself from payment of the Suit-Kote invoice. Otherwise, the motion was unanimously approved.**

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**Motion by Councilor Golub, seconded by Councilor Reger to adjourn this**

**meeting. The motion was unanimously approved.**

**At 8:07 p.m., Supervisor Zupan declared this meeting adjourned.**

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**Signed:**           *Connie J. Sunderman*            
          Connie J. Sunderman, Town Clerk